

NO/DAW/DP

16th September, 1981.

M.E. Head, Esq.,
Home Office,
Queen Anne's Gate,
London, SW1N 9AT.

Dear Mr. Head,

The National Campaign for the Reform of the Obscene Publications Acts thanks you for your letter of 4th September, in which you invited its views on certain proposals concerning commercial cinema clubs, of which you gave some background details.

Our immediate and over-riding re-action is an unequivocal rejection of any proposals which seek to bring about the demise of cinema clubs, whether commercial or otherwise. Our position regarding these clubs was made clear in our written evidence to the Home Office Committee on Obscenity and Film Censorship and subsequently when we were invited to give oral evidence to that same Committee. We listed the membership of thirty-one of these clubs and made a plea for their release from continual police harassment and freedom. Our unchanged position was re-iterated in our appraisal of the Williams Report, which we presented to the Home Secretary on April 1980. The Williams Report had proposed that "steps should be taken to bring commercial cinema clubs within the scope of the censorship system by providing an exemption only for film exhibitions not promoted for private gain" (see para. 12.40, pages 154). We believe that the law relating to private cinema clubs for adults should remain unaltered, since these clubs represented a basic expression of freedom of association. Naturally we believe that they should comply with the safety requirements applying to other commercial cinematograph exhibitions. The commercial club proprietors accept that too, as we stated in an advertisement we placed in "The Guardian" on May 27th (copy enclosed herewith). It would, in any case, be inconsistent for us to agree to commercial cinema clubs having to submit to censorship requirements, since, as a campaign, we are committed to bringing about the end of film censorship per se. (That does not mean, of course, that we are not opposed, like the Williams Committee, to the use of children in sexually explicit or pornographic films, or to films wherein actual physical harm is caused to the participants. It would still be an offence to make such films in this country and also to exhibit any in this category imported from elsewhere.) Our view is that consenting adults have an inalienable right to see any film of their choice and, in order to help them in this choice, films should be classified, placed in clearly defined categories and the rest left to each individual. That is all.

A closer look at the proposals you have outlined only serves to strengthen our virtually total opposition to them. The Williams Report clearly states that

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the present law is in chaos, because it is made up of a mass of conflicting statutes and it rightly concludes that there should be no more "piecemeal" legislation, but instead, one comprehensive, new statute dealing with the whole field of films and publications should replace all existing ones. The Home Office has already ignored this conclusion by giving its support to Tim Sainsbury's ill-conceived Indecent Displays (Control) Bill, which becomes law on October 27th. (The N.C.R.O.P.A. does support certain limited measures for controlling public display but certainly not this particular Act with its serious flaws.) The introduction of another new law, just relating to cinema clubs will merely add to the present chaos and the Home Office will, once again, be "cocking-a-snook" at the Williams' Committee's findings, except, we note, ominously, only in those relatively few instances where their findings recommend a tightening of controls and thus increased censorship.

The United Kingdom has the strictest film censorship in the Western World. Many countries do not have film censorship at all (e.g. the U.S.A., Denmark, the Netherlands, Belgium, Portugal, Spain) and most others have very liberal controls (e.g. France and Sweden). Mr. James Ferman, the Secretary of the British Board of Film Censors, said that he was not opposed to cinema clubs because they provide an important safety valve wherein the showing of films for which he refuses to grant a certificate can take place and this counter-balances what would otherwise appear to be an unacceptable, authoritarian system. (At a series of seminars on censorship at the Institute of Contemporary Arts in 1977). This is not to say, however, that we condone the activities of the B.B. of F.C. elsewhere. We most certainly do not and although we appreciate that the Board has no legal status whatsoever, it is a sad fact that most local licensing authorities at present accept and abide by their decisions.

In other words, the present U.K. system is based on the fact that the British Board of Film Censors merely pontificates on the films shown in public cinemas without interfering with the public's right to see uncensored films in private or club cinemas. Obviously such clubs cannot be run without the incursion of considerable costs and there is no justification for imposing special restrictions and conditions to prevent their commercial viability, any more than for any other kind of business enterprise, like, for example, public houses, betting shops or even theatres. If they are driven out of existence, as your proposals quite clearly aim to do, this will be yet another "coffin-nail" to that fundamental freedom of expression which they represent and which this country is supposed to hold so dear. No pre-censorship of publications exists in this country (yet!) and no pre-censorship of films should exist either. This is an intolerable situation in a "free" country.

Censorship is tyranny. It is a manifestation of consummate arrogance on the part of others, so puffed up with conceit that they consider they know best what is and is not good for you. However one looks at it, the proposed legislation outlined in your letter is additional censorship legislation - additional, that is, to the draconian measures already incorporated in British law. No satisfactory explanation has been given for the Government wanting to introduce these fresh curbs other than that the present position is "unsatisfactory". We certainly agree with that sentiment, but why is action on implementing the proposals of the Williams Report (which were unanimous) only to be confined to one tiny part of the whole report? Why doesn't the Government have the "guts" to tackle this issue head-on? On what grounds does it conclude that Parliamentary agreement could not be achieved for the "more comprehensive legislation" the Williams Report recommends? The majority of the people in this country do not want to be subjected to State "nannyism" of the kind that the present administration seems determined to perpetuate, in spite of the Prime Minister's fine promises in her 1979 General Election Manifesto. "No-one who has lived in this country during the last five years can fail to be aware of how the balance of our society has been increasingly tilted in favour of the State at the expense of individual freedom", wrote Mrs. Thatcher in her foreword to the official Conservative Party Manifesto. What kind of hypo-

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critical clap-trap is that, in the light of the kind of proposals her Ministers are putting forward like this latest piece of repression? Why are the Prime Minister and her Ministers only paying heed to the hysterical bigots and fanatics of the pro-censorship lobby, whilst virtually ignoring the opinions and counsels of people like ourselves, who are much more representative of grass-roots public opinion, for reasons both of numbers and cool, common-sense logic?

Furthermore it is, indeed, extraordinary, and a strange contradiction of the present Government policy to hear it attack private enterprise and the profit motive in this singular onslaught on commercial cinema clubs. Again, in the 1979 Conservative Party General Election Manifesto, it proclaims "Profits are the foundation of a free enterprise economy". Why, then, should this not apply to these clubs? Far from harming anyone, they are providing pleasure, enjoyment and often edification, for hundreds of thousands of ordinary people who happily and thankfully are free of the sexual hang-ups which appear to afflict so many of our Members of Parliament.

Our final comment, at this stage, is on your choice of "interested bodies" to participate in this exercise. Whilst we are gratified to have been asked ourselves, as indeed a campaign like ours would expect to be, we wonder why, for example, the National Viewers and Listeners Association has been asked and certainly the Nationwide Festival of Light? The N.V.A.L.A. is a "watch-dog" society, formed specifically to monitor television and radio broadcasting. Private cinema clubs are outside its terms of reference and its views thereon are therefore irrelevant and of no consequence. The Nationwide Festival of Light, as someone has already pointed out before, is neither nationwide, nor a festival and preaches a message of doom and gloom. It is a group of religious extremists. The National Secular Society, the British Humanist Association, the National Council for Civil Liberties, to name just a few, are also very "interested bodies", with opinions and views on this matter much more relevant and representative. One wonders why they, too, have not been invited?

The Lord Chancellor, Lord Hailsham, has stated publicly that there are far too many laws in this country already and what we require is fewer laws. The present Government, of which, ironically, he is himself a member, obviously believes otherwise. It is intolerable that we, in this country, are still subjected to so many unnecessary repressive restrictions. The proposals you have detailed concerning commercial cinema clubs are, in our opinion, indefensible, and will simply add to such repression. We categorically reject them and any other measures which would likewise further erode our freedom. Our fight is for reforms in quite the opposite direction. It is disgraceful that those presently in office should have perpetrated such a bare-faced "con" trick on the British public, in seeking election to office, for it is now becoming abundantly clear that their declared policy commitment to individual freedom and anti-censorship, is nothing more than a hollow sham.

We shall look forward to developing our argument and expanding on it when we meet at the Home Office at 11 a.m. on Friday, 2nd October.

Yours sincerely,

David Webb,
Organiser,
National Campaign for the Reform of the Obscene Publications Acts.